

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

2025 MAR 17 P 2:26

Arthur Reardon,
Plaintiff,

v.

Mitchell Oswald, Probation Officer, in his individual capacity, and Unknown Federal Agents, in their individual capacities,
Defendants.

Civil Action No. [To Be Assigned]

**COMPLAINT FOR ILLEGAL SEARCH AND SEIZURE UNDER THE FOURTH
AMENDMENT**

INTRODUCTION

1. Plaintiff Arthur Reardon brings this action against Probation Officer Mitchell Oswald and unknown federal agents (collectively, “Defendants”) for violating his Fourth Amendment rights through an illegal search and seizure of his pickup truck on August 10, 2023.
2. The Defendants, acting under color of federal law, searched Plaintiff’s vehicle—registered solely to him—and seized his Jennings .22 caliber semi-automatic pistol without a warrant, probable cause, consent, or lawful authority, despite being informed that the vehicle belonged to Plaintiff and not Nathan Reardon, the subject of their investigation.

PARTIES

3. Plaintiff Arthur Reardon is a resident of Brewer, Maine, residing at 21 Treats Falls Dr., Brewer, ME 04412, and the registered owner of the pickup truck searched on August 10, 2023.
4. Defendants Mitchell Oswald, Probation Officer, and Unknown Federal Agents are employed by the United States Probation Office, District of Maine, located at 202 Harlow Street, Room 240, Bangor, ME 04401, sued in their individual capacities for actions taken under color of federal law.

JURISDICTION AND VENUE

5. This Court has jurisdiction under 28 U.S.C. § 1331 (federal question) as this action arises under the Fourth Amendment to the U.S. Constitution and *Bivens v. Six Unknown Named Agents*, 403 U.S. 388 (1971).
6. Venue is proper under 28 U.S.C. § 1391(b) because the events giving rise to this claim occurred in the District of Maine.

FACTUAL ALLEGATIONS

7. On August 10, 2023, Defendants conducted a search of a residence and surrounding property at 773 Lower Detroit Rd., Plymouth, ME 04969, as part of a probation investigation related to Nathan Reardon (Case No. 1:21-cr-00061-LEW), based on a newspaper article alleging probation violations.
8. During this search, Defendants encountered a pickup truck parked on the property, which was registered to Plaintiff Arthur Reardon and was not locked.
9. Without asking for permission, Defendant Mitchell Oswald entered Plaintiff's pickup truck, seized a Jennings .22 caliber semi-automatic pistol legally owned by Plaintiff, and brought it inside the residence. Plaintiff Arthur Reardon was not present at the scene.
10. After seizing the firearm, Defendant Mitchell Oswald asked Heather Reardon, Nathan Reardon's wife at the time, whose vehicle it was, to which she responded that it belonged to her father-in-law, Arthur Reardon, and not her or Nathan Reardon.
11. Despite being informed by Heather Reardon that the vehicle and firearm belonged to Plaintiff Arthur Reardon, Defendants retained the Jennings .22 caliber semi-automatic pistol.
12. During a subsequent probation revocation hearing for Nathan Reardon in Case No. 1:21-cr-00061-LEW, Defendant Mitchell Oswald testified under oath regarding the search. When asked whether he sought permission before entering the vehicle and seizing the firearm, he stumbled, stammered, and stated he could not recall, indicating a lack of justification for his actions.
13. The search and seizure occurred outside the scope of any probation-related authority over Nathan Reardon, as the vehicle was neither owned nor controlled by him, and Plaintiff was not under federal supervision or investigation.
14. Defendants lacked a warrant, probable cause, consent, or exigent circumstances to justify searching Plaintiff's private vehicle and seizing his firearm.
15. To date, Defendants have not returned Plaintiff's Jennings .22 caliber semi-automatic pistol, depriving him of his property without due process.

LEGAL CLAIM: FOURTH AMENDMENT VIOLATION

16. The Fourth Amendment protects individuals from unreasonable searches and seizures by government officials.
17. Defendants' warrantless search of Plaintiff's pickup truck and seizure of his Jennings .22 caliber semi-automatic pistol constituted an unreasonable intrusion, as:
 - a. The vehicle was registered to Plaintiff, not Nathan Reardon, and Defendants were explicitly informed of this fact by Heather Reardon after the seizure;
 - b. Defendant Mitchell Oswald entered the vehicle and seized the firearm without consent or any applicable exception to the warrant requirement (e.g., probable cause with exigent circumstances or lawful probation search authority extending to third-party property);
 - c. The search exceeded the scope of any authority tied to Nathan Reardon's probation conditions, as confirmed by Mitchell Oswald's inability to recall seeking permission during sworn testimony; and
 - d. The retention of Plaintiff's firearm after confirmation of his ownership lacks any lawful basis.

18. As a direct result of Defendants' actions, Plaintiff has suffered the loss of his Jennings .22 caliber semi-automatic pistol and emotional distress from the violation of his constitutional rights.

REQUEST FOR RELIEF

WHEREFORE, Plaintiff Arthur Reardon respectfully requests that this Court:

1. Declare that Defendants' search and seizure of Plaintiff's pickup truck violated his Fourth Amendment rights;
2. Order Defendants to return the Jennings .22 caliber semi-automatic pistol seized from Plaintiff's pickup truck;
3. Award compensatory damages for the loss of property and emotional distress in an amount to be determined at trial;
4. Award punitive damages to deter future misconduct by Defendants;
5. Award reasonable costs and attorney's fees (if Plaintiff retains counsel); and
6. Grant such other and further relief as the Court deems just and proper.

JURY DEMAND

Plaintiff demands a trial by jury on all issues so triable.

DECLARATION

I, Arthur Reardon, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge. Executed on this 10th day of March, 2025, at Brewer, Maine.

/s/ Arthur Reardon
Arthur Reardon
21 Treats Falls Dr.
Brewer, ME 04412
207-989-7229
Pro Se Plaintiff

CERTIFICATE OF SERVICE

I, Arthur Reardon, hereby certify that on this 10th day of March, 2025, I served a true and correct copy of the foregoing Complaint for Illegal Search and Seizure Under the Fourth Amendment, along with a summons, on the following parties by depositing the same in the United States Postal Service, certified mail, return receipt requested, with postage prepaid, addressed as follows:

Mitchell Oswald, Probation Officer, and Unknown Federal Agents

United States Probation Office

District of Maine

202 Harlow Street, Room 240

Bangor, ME 04401


/s/ Arthur Reardon

Arthur Reardon

21 Treats Falls Dr.

Brewer, ME 04412

207-989-7229

Pro Se Plaintiff